

AMENDED
APPLICATION FOR PERMIT

Nº 37824
ASSIGNED

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office..... APR 10 1979
Returned to applicant for correction..... SEP 17 1979
Corrected application filed..... NOV 5 1979
Map filed..... NOV 5 1979 under 37823

The applicant..... McCormick Brothers c/o Boyack Surveying, Inc.
515 South Fifth Street....., of Elko.....
Street and No. or P.O. Box No. City or Town
Nevada 89801....., hereby make..... application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is..... Warm Springs No. 2
Name of stream, lake or other source.
2. The amount of water applied for is..... 0.5 cfs..... second-feet
One second-foot equals 448.83 gals. per min.
(a) If stored in reservoir give number of acre-feet..... acre-feet
3. The water to be used for..... Stockwater
Irrigation, power, mining, manufacturing, domestic, or other use.
4. If use is for:
(a) Irrigation (state number of acres to be irrigated).....
(b) Stockwater (state number and kinds of animals to be watered)..... 1000 Cattle
(c) Other use (describe fully under "No. 12. Remarks").....
(d) Power:
(1) Horsepower developed.....
(2) Point of return of water to stream.....
5. The water is to be diverted from its source at the following point: NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 25, T 37 N,
R 58 E, MDB & M., at a point from which the W $\frac{1}{4}$ Corner of said Section 25
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,
bears N 34° 00' 00" W 239.98 feet.
it should be stated.
6. Place of use..... SW $\frac{1}{4}$ Section 25, E $\frac{1}{2}$ Section 26, T 37 N, R 58 E, MDB & M.
Describe by legal subdivision, if on unsurveyed land it should be so stated.
7. Use will begin about..... January 1..... and end about..... December 31....., of each year.
Day and Month Day and Month
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)..... Spring with open ditches
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works.....\$1,000
10. Estimated time required to construct works.....3 years
11. Estimated time required to complete the application to beneficial use.....5 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Applicant McCormick Brothers

By /s/ Alan S. Boyack
 Alan S. Boyack
 515 South Fifth Street
 Elko, Nevada 89801

Compared.....

DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby ^{deny}~~grant~~ the same, subject to the following limitations and conditions:

~~Applications 37821, 37822, 37823, 37824, 37826, 37827, 37828, 37832, 37833, 37842, 37845, 37846, 37847, 37849, 38140, 39093, 39094, 39095, 39096, 39097, 39098, 39099, 39100, 39101, 39103, 39949, 39950, 44026, 44357, 44358, 44359, 44360, 44361, 44362, 44363, 46823, 46824, 47438, 47491 and 47492 are hereby denied on the grounds that the Humboldt River and its tributaries are fully appropriated and to approve said applications would impair the value of existing decreed rights.~~

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second.....

Actual construction work shall begin on or before.....

Proof of commencement of work shall be filed before.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....
 Completion of work filed.....
 Proof of beneficial use filed.....
 Cultural map filed.....
 Certificate No..... Issued.....
 Recorded..... Bk..... Page.....
 County Recorder

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P. E.
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this 7th day of December

A.D. 19 95

[Signature]
 State Engineer